



CITY APPOINTEES
 MARY SHARP, VICE CHAIR
 BERLIN BOYD
 RUSTY LINKOUS
 MARGARET PRITCHARD
 JAMES TOLES

MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD

EST. 1922 AS MEMPHIS PLANNING COMMISSION • REORGANIZED IN 1976

JOSH WHITEHEAD, AICP, SECRETARY

CITY HALL • 125 N. MAIN ST., STE. 468 • MEMPHIS, TENNESSEE 38103 • (901) 676-6819



COUNTY APPOINTEES
 JON MCCREERY, CHAIR
 CASSANDRA BELL-WARREN
 ROBERT NORCROSS
 EMILY TRENHOLM
 LISA WILBANKS

MINUTES May 8, 2014

Meeting Attendance

LUCB Board Members

OFFICERS/MEMBERS	NAME	PRESENT	ABSENT
Chairman	Jon McCreery	X	
Vice Chairperson	Mary Sharp	X	
Member	Cassandra Bell-Warren		X
Member	Berlin Boyd	X	
Member	Rusty Linkous	X	
Member	Margaret Pritchard	X	
Member	Robert Norcross		X
Member	James Toles	X	
Member	Emily Trenholm	X	
Member	Lisa Wilbanks	X	
Alt. Member	Frank Colvett, Jr.	X	

Call to Order and Roll Call

Chairman McCreery called the meeting to order at 10:00 a.m. Josh Whitehead called the roll. There was a quorum.

LUCB Staff: Brian Bacchus, Don Jones, Gregory Love, Terry Langlois, Calvin Abram, Marion Jones, and Chip Saliba.

Others Present: Alan Albright, Mary Baker, Gino Bauwens, David Bray, Tamara Cook, George Cox, Karen Cox, Robert DeHoney, Jim Ethridge, Jonathan Flynt, Sam Goff, Odell Horton, Jr., Terry Isbell, Jennifer Karnes, Lou Katzerman, Wei Liu, Harvey Markum, Gene McDonald, Wes Misenhelter, Ms. Mold, Karen Pease, Petrica Pope, David Porter, Marisleydy Sanchez, Marcus White, Mark Yates.

Chairman's Opening Remarks

Chairman McCreery read the General Order of the Public Hearing proceedings and the Conflict of Interest Statement.

Secretary's Report

Josh Whitehead reported there was none.

Approval of Minutes: April 10, 2014

Board Member Colvett made a motion to approve LUCB minutes from April 10, 2014. The

motion was seconded by Board Member Boyd. The motion passed unanimously.

General Order of Public Hearing

Chairman McCreery explained the procedure for hearing the applications; staff presentation for the application; applicant comments; comments from the public; time limits; rebuttal; and the LUCB's discussion and action. The Consent Agenda Items 1 through 8 was read. Chairman McCreery also explained the procedure for hearing the Consent Agenda Items. He then introduced Board Member Lisa Wilbanks to be the Subdivision Chair and to read the Consent Agenda Items.

Consent Agenda (Items 1-8)

- | | |
|--------------------------|---|
| 1. CASE NUMBER: | <u>S.A.C. 14-602 (Z 14-101)</u> |
| DEVELOPMENT NAME: | <u>EXCHANGE ALLEY CLOSURE</u> |
| Request: | Close and vacate public right-of-way |
| Staff's Recommendation: | Approval with (7) seven conditions |
| | |
| 2. CASE NUMBER: | <u>S.A.C. 14-603</u> |
| LOCATION NAME: | <u>West of Watkins, south of Madison</u> |
| Request: | Close and vacate existing alley right-of-way |
| Staff's Recommendation: | Approval with conditions |
| | |
| 3. CASE NUMBER: | <u>S.U.P. 11-220</u> |
| LOCATION NAME: | <u>Southwest corner of Poplar Avenue and High St.;
south to Washington Avenue and west to Danny
Thomas Blvd.</u> |
| Request: | 2-Year Time Extension. |
| Staff's Recommendation: | Approval with conditions |
| | |
| 4. CASE NUMBER: | <u>S.U.P. 12-205</u> |
| LOCATION NAME: | <u>Northwest corner of Walnut Grove and Hayden Street</u> |
| Request: | A one-year time extension to install Cell Tower |
| Staff's Recommendation: | Approval with conditions |
| | |
| 5. CASE NUMBER: | <u>P.D. 87-313</u> |
| LOCATION NAME: | <u>530 Oak Court Boulevard</u> |
| Request: | Additional signage for the Oak Court PD |
| Staff's Recommendation: | Approval with conditions |
| | |
| 6. CASE NUMBER: | <u>P.D. 00-350</u> |
| LOCATION NAME: | <u>East side of Houston Levee; +/-192' S of Highway 64</u> |
| Request: | Major modifications to the approved outline plan and
approval of a final plan |
| Staff's Recommendation: | Approval with conditions |
| | |
| 7. CASE NUMBER: | <u>P.D. 05-320</u> |
| LOCATION NAME: | <u>Northeast corner of Century Center Parkway and</u> |

Century Gate Drive
Request: To allow a modification to the Whitten I-40 PD & site plan approval
Staff's Recommendation: Approval with conditions

8. CASE NUMBER: P.D. 12-304
DEVELOPMENT NAME: TOURNAMENT CENTER PLANNED DEVELOPMENT (3RD AMENDMENT)

Request: 1. Revise Conditions II. H.6 and II. P. to permit a 3-story Apartment buildings, and
2. Revise concept plan
Staff's Recommendation: Approval with conditions

Chairman McCreery asked if there were any items needed to be removed/pulled for discussion. Agenda Items 5 and 6 was requested to be pulled for discussion. Chairman McCreery then asked the board members for a motion to approve Consent Agenda Items 1, 2, 3, 4, 7 and 8. Board Member Wilbanks made a motion to approve Consent Agenda Items 1, 2, 3, 4, 7 and 8 in agreement with staff's recommendations. The motion was seconded by Board Member Pritchard. The motion passed unanimously. Chairman McCreery then asked Board Member Wilbanks to read the Consent Agenda Items that were pulled for discussion. She then read the first case.

Item 5: CASE #: P.D. 87-313

Request: Additional signage for the Oak Court PD
Location: 530 Oak Court Boulevard.
Applicant: Shopping Center Assoc. (PSO)
Representative for applicant: Harvey Markum, The Reaves Firm, Inc., American Way, Suite 100, Memphis, TN 38118

MOTION: Approval with a Friendly Amendment to Condition #2
MADE BY: Wilbanks
SECOND: Pritchard
AYES: Boyd, Colvett, Linkous, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and Chairman McCreery

Item 5 – APPROVED AS AMENDED

Item 6: CASE #: P.D. 00-350 **HOUSTON LEVEE TRAILS 1ST ADDITION, 3rd AMENDMENT PLANNED DEVELOPMENT**

Request: Major modifications to the approved outline plan and approval of a final plan
Location: East side of Houston Levee; +/-192' south of Highway 64
Applicant: Wes Misenhelter, 3979 Forest Point Way, Lakeland, TN
Representative for applicant: W H Porter Consultants, PLLC – David Porter, 4821 American Way, Suite 100, Memphis, TN 38118

MOTION: Approval with (3) three Friendly Amendments
MADE BY: Wilbanks
SECOND: Pritchard
AYES: Boyd, Colvett, Linkous, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and
Chairman McCreery

Item 6 – APPROVED AS AMENDED

REGULAR AGENDA ITEMS:

Chairman McCreery introduced Board Member Pritchard who would serve as Zoning Chair and she then called the first case.

Item 9: CASE #: P.D. 14-307

**CASABLANCA RESTAURANT PLANNED
DEVELOPMENT**

Request: Amend an existing PD to allow a parking lot.
Location: 2250 Central Avenue
Applicant: K J PEASE, LLC
Representatives for applicant: Odell Horton, Jr., 1715 Aaron Brenner Dr., Memphis, TN
38120
Bray & Associates - David Bray, 2950 N. Stage Plaza,
Memphis, TN 38134.

Chairman McCreery recognized the following persons who spoke from the audience in support of the case.

Marisleydy Sanchez, 659 Philadelphia St., Memphis, TN 38104
Ms. Mold, 1338 Carr Ave., Memphis, TN 38104 (?) Pease Residence
Mark Yates, 7713 Chapel Creek Parkway S., Memphis, TN 38016
Robert DeHoney, 649 Philadelphia St., Memphis, TN 38104
Gino Bauwens, 670 New York, Memphis, TN 38104
Marcus White, 198 Pauline St., Memphis, TN 38104
Karen Pease, 1388 Carr Ave., Memphis, TN 38104

Chairman McCreery recognized the following persons who spoke from the audience in opposition of the case.

Sam Goff, 143 Clark Place, Memphis, TN 38104
Jennifer Karnes, 2192 Central Ave. & 693 S. Cox, Memphis, TN 38104
Tamara Cook, 2120 Young Ave., Memphis, TN 38104
Mary Baker, 2037 Higbee Ave., Memphis, TN 38104
Jonathan Flynt, 1972 Evelyn Ave., Memphis, TN 38104

MOTION: Approval as submitted by applicant
MADE BY: Pritchard
SECOND: Sharp
AMENDMENT: Approval with conditions that were articulated on Page 9.
MADE BY: Pritchard

AYES: Boyd, Colvett, Linkous, Toles, Wilbanks, and Chairman McCreery
NAYS: Pritchard, Sharp and Trenholm

Item 9 – APPROVED AS AMENDED

Item 10: CASE #: S.U.P. 14-206

Request: CMCS Tower.
Location: 2821 Range Line Road +/-217 feet from the intersection of
Leafy Hollow Drive and Range Line Road
Applicant: New Cingular Wireless PCS, LLC (AT&T)
Representatives for applicant: Gene McDonald, 3343 Perimeter Hill Dr., Nashville, TN

MOTION: Approval as Amended
MADE BY: Pritchard
SECOND: Boyd
AYES: Boyd, Colvett, Linkous, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and
Chairman McCreery

Item 10 – APPROVED AS AMENDED

Item 11: CASE #: S.U.P. 14-207 CC

Request: CMCS Tower – 170' Tall, Monopole.
Location: +/- 550 feet west of Grinder Lane (prvt drive) and Houston
Levee Road
Applicant: New Cingular Wireless PCS, LLC (AT&T)
Representatives for applicant: Gene McDonald, 3343 Perimeter Hill Dr., Nashville, TN

*Board Member Wilbanks recused herself from this Agenda Item.

Chairman McCreery recognized the following person who spoke from the audience in support of the case.

Petrica Pope, 3343 Perimeter Hill Dr., Nashville, TN
Jim Ethridge, 507 Rocky Point Road, Cordova, TN 38018 – (Request Hold)

MOTION: Hold for 30 Days
MADE BY: Colvett
SECOND: Pritchard
AYES: Boyd, Colvett, Linkous, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and
Chairman McCreery

Item 11 – APPROVED for 30 Day HOLD

Item 12: CASE #: Z 14-101 (SAC 14-602)

Request: Campus Master Plan (CMP-1) District.
Location: West side of Ayers Street; +/-278.93 feet north of Poplar
Avenue

Applicant: Methodist LeBonheur Healthcare
Representatives for applicant: Terry Isbell, Project Mgr. with Methodist LeBonheur Healthcare, 848 Adams Ave., Memphis, TN

MOTION: Approval
MADE BY: Pritchard
SECOND: Toles
AYES: Boyd, Colvett, Linkous, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and Chairman McCreery

Item 12 – APPROVED

Item 13: CASE #: S.U.P. 14-213

Request: Special permit to allow a CMCS tower a maximum of one-hundred fifty (150) feet in height of mono-pine tree design with capacity to accommodate five (5) antennae, including one (1) microwave dish antenna.
Location: North side of Mullins Station Road; +/-410 feet southeast of Palace View Lane
Applicant: TV6-W, LLC-D/B/A Tower Ventures
Representatives for applicant: Lou Katzerman, Tower Ventures, 4091 Viscount Ave, Memphis, TN 38118

Chairman McCreery recognized the following person who spoke from the audience in opposition of the case.

Wei Liu, 1103 Cam Grain Drive, Memphis, TN 38134

MOTION: Approval as Amended
MADE BY: Pritchard
SECOND: Boyd
AYES: Boyd, Colvett, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and Chairman McCreery

Item 13 – APPROVED

Item 14: CASE #: S.U.P. 14-215

Request: Cell tower.
Location: Corner of Gilleas Ave. and Anderson Rd.
Applicant: Cataunia Johnson

Item 14 – AGREED UPON HOLD

Item 15: CASE #: S.U.P. 14-216

Request: Construct a one hundred eighty foot (180') CMCS Tower.
Location: 3743 Austin Peay Hwy., (580' south of Lakehurst Street)
Applicant: New Cingular Wireless PCS, LLC (AT&T Mobility)

Representatives for applicant: Gene McDonald, 3343 Perimeter Hill Dr., Nashville, TN

Chairman McCreery recognized the following person who spoke from the audience in opposition of the case.

George Cox, 3793 Springfield Dr., Memphis, TN 38128

Alan Albright, 3821 Lakehurst Dr., Memphis, TN 38128

Karen Cox, 3793 Springfield Dr., Memphis, TN 38128

MOTION: Approval with conditions

MADE BY: Pritchard

SECOND: Sharp

AYES: Boyd, Pritchard, Trenholm, Wilbanks, and Chairman McCreery

NAYS: Colvett, Sharp and Toles

Item 15 – **APPROVED**

ADJOURNMENT:

There being no further business, the meeting there upon was adjourned.

MINUTES APPROVED: _____

6-12-14

CHAIRMAN

SECRETARY

